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December 5, 1997

VIA FEDERAL EXPRESS

Office of the Secretary  
Federal Communications Commission  
1919 M Street N.W., Room 222  
Washington, DC 20554

Re: No. CCD 92-237; In the Matter of Administration of the North American  
Numbering Plan, Carrier Identification Codes (CIC's)

Enclosed for filing in the above captioned matter are an original and four  
(4) copies of a Petition of Miller Telephone Company for Waiver of the January 1,  
1998 Implementation Date for 4-Digit CIC. We trust that the enclosed will be  
found in order for filing and grant.

Should you require any further information, or have any questions  
regarding this filing, please call my office directly at (719) 594-5800.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Schoonmaker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Bob Schoonmaker  
Vice-President

Enclosures

cc: Service List

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**GVNW INC./MANAGEMENT**

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Before the  
Federal Communications Commission  
Washington, D.C. 20554

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In the Matter of )

Administration of the )  
North American Numbering Plan, )  
Carrier Identification Codes (CICs) )

CC Docket No. 92-237

PETITION OF MILLER TELEPHONE COMPANY  
FOR WAIVER OF THE JANUARY 1, 1998 IMPLEMENTATION  
DATE FOR 4-DIGIT CIC

GVNW, Inc.  
2270 La Montana Way  
Colorado Springs, Colorado 80918

Date Submitted: December 8, 1997



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Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of

Administration of the  
North American Numbering Plan,  
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CC Docket No. 92-237

PETITION OF MILLER TELEPHONE COMPANY  
FOR WAIVER OF THE JANUARY 1, 1998 IMPLEMENTATION  
DATE FOR 4-DIGIT CIC

**I. Introduction**

Miller Telephone Company, (hereafter "Miller") by its consultant, and pursuant to the Order on Reconsideration, Order on Application for Review, and Second Further Notice of Proposed Rulemaking, CC Docket No. 92-237, (hereafter "the Order"), hereby requests a temporary waiver of the requirement that all Local Exchange Carriers ("LECs") that are equal access complete upgrades to their switches to recognize four digit CICs by January 1, 1998.

In the Order, the FCC reaffirmed its requirement that LECs that provide equal access must convert their switches to accept four digit CICs by January 1, 1998. The FCC also extended the permissive period to June 30, 1998 during which three and four digit CICs would continue to be accepted.

Paragraph 20 of the Order reads, "First, we determine that LEC end office switches must be upgraded to accept four-digit CICs by January 1, 1998. Second, we



determine that the transition during which use of both three-digit CICs and five-digit CACs may continue will end on June 30, 1998, rather than on January 1, 1998.”

Further, paragraph 24 states, “If we receive a complaint of LEC noncompliance, infeasibility with that deadline will not relieve a defendant LEC of liability under section 208 of the Commission’s rules. A LEC that determines that it will not meet the January 1, 1998 conversion deadline must seek relief from the Commission prior to that date.”

In compliance with the FCC’s Order on Reconsideration, specifically at paragraph 24, Miller is seeking relief of the FCC’s conversion deadline of January 1, 1998, by this request for wavier. Miller will identify special circumstances that warrant a deviation from the Order and that a wavier will serve the public interest. Also, Miller will show good cause that a waiver of the Commission’s Order is necessary and appropriate as well as in the public interest.

## **II. Background**

Miller became aware of the requirement to upgrade or change its current software generic to accommodate four-digit CIC and seven-digit CAC shortly after the FCC released its April 1997 Order. Upon learning of the Order and the deadline, Miller initiated its RUS loan approval process for a switch upgrade to a software generic of 409.11 as well as additional lines and custom calling features.. Miller was notified on July 11, 1997 that the loan had been approved. The Missouri Public Service Commission (“MO PSC”) approval was issued on November 13, 1997. The ordering process was initiated with Nortel on November 25th, due to the delay in receiving the MO PSC’s letter of approval. Installation will begin immediately upon the delivery of the software.



Miller anticipates completing the implementation of the upgrade on or before June 30, 1998.

### **III. A Waiver of the Commission Rules is Necessary and in the Public Interest**

Miller Telephone Company serves one exchange, Miller, which provisions services for approximately 1038 access lines, eight payphones and no hotel/motel lines. The exchange is currently served by a Nortel DMS 10 with the generic software version 403.21. The switch and generic software were installed in 1989.

In order to comply with the FCC's order, Miller will require an upgrade to the switch to the latest generic level 409.11. The current software generic cannot accommodate these requirements. Miller is seeking delivery and installation dates that will meet with the FCC's required effective date for the end of the permissive period.

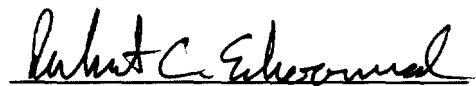
Miller has taken immediate action to begin the process of achieving compliance with the Commission's requirements upon learning of the FCC's requirements and deadline. Miller will make every effort to ensure it is able to comply with the FCC's June 30, 1998 deadline.

### **IV. Conclusion**

Miller is actively pursuing a remedy to meet the FCC's requirement as soon as possible. As demonstrated, the company has taken immediate action to remedy its situation in order to meet with the FCC's timing requirements. Grant of the instant petition will serve the public interest and will allow Miller to complete its network upgrades by the FCC's required effective date for the permissive period. Miller submits that the public interest will be better served by a waiver of the December 31, 1997 date



and that grant of this petition would be consistent with the policies underlying these rules. Good cause having been shown, Miller Telephone Company respectfully request the Commission grant the petition.



Robert C. Schoonmaker  
Vice President, GVNW Inc./Management

12/5/97  
Date



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